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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/057,406	04/08/1998	HARALD WERENICZ	94-36-3-US-D	6379

7590 10/03/2003

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EXAMINER

AFTERGUT, JEFF H

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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EXAMINER

ART UNIT	PAPER
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63

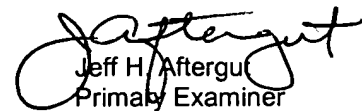
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Commissioner for Patents

In response to the Order returning undocketed appeal to Examiner, the declarations filed 2-13-01 and 7-16-01 were properly previously noted in the response dated 7-31-01 (page 5 of the same) where the examiner noted that the rejection did not rely upon the composition of Cardinal (HYTREL) in the rejection, i.e. the viscosity of the composition of Cardian was Hytrel material which was no longer being relied upon in the rejection but rather Maletsky suggested the same composition (which must have the same properties). It should be noted that the rejection as it now appears does not employ any reference employing HYTREL as the composition being extruded. The declarations are therefore deemed moot (they are unrelated to the rejection at hand) and therefore no further comment is deemed necessary.

Any further comment can be directed to Jeff Aftergut at 703-308-2069.


Jeff H. Aftergut
Primary Examiner
Art Unit: 1733